



NCTA

NATIONAL CABLE & TELECOMMUNICATIONS ASSOCIATION

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EX PARTE

June 26, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: MB Docket No. 02-144, MM Docket No. 92-266, MM Docket No. 93-215,
CS Docket No. 94-28, CS Docket No. 96-157

Dear Ms. Dortch:

On June 25, 2003, Dan Brenner, NCTA's Senior Vice President for Law and Regulatory Policy and I met with William Johnson, Peggy Greene, John Norton, Katie Costello, Kenneth Lewis, Mary Beth Murphy and Steve Broeckaert of the FCC's Media Bureau to discuss NCTA's written comments and reply comments in the above-captioned proceeding.

Among other things, consistent with NCTA's comments, we urged that the Commission change its effective competition presumption; maintain its role in reviewing decisions of local franchising authorities; grandfather rate calculations for channels added to or deleted from the basic tier prior to the FCC's adoption of its Interim Order and, going forward, to permit operators to determine rates for channel additions or deletions by including the per-channel adjustment factor in Section 76.922(g)(2) of the rules; and allow operators to price digital set-top boxes free from actual cost regulation except where those boxes are included in aggregated equipment prices.

Respectfully submitted,

/s/ **Diane B. Burstein**
Diane B. Burstein

cc: William Johnson
Peggy Greene
John Norton
Katie Costello
Kenneth Lewis
Mary Beth Murphy
Steve Broeckaert